



**DEPARTMENT OF THE NAVY
OFFICE OF THE GENERAL COUNSEL
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000**

AGC(E) 03129
December 1, 2003

MEMORANDUM FOR DEPARTMENT OF THE NAVY INVITEES

Subj: STEPHEN F. UDVAR-HAZY CENTER OPENING

The Smithsonian Institution and Rolls-Royce North America, Inc. are sponsoring a black tie gala dinner on Wednesday, December 10, 2003 to celebrate the opening of the Steven F. Udvar-Hazy Center, a companion facility to the Smithsonian's National Air and Space Museum. Approximately 1000 people have been invited from all walks of life, including Congress, military, local officials, and industry. Several employees from the Department of the Navy have been invited. The costs for food and refreshments have been estimated to be approximately \$120 per person, with each invitation admitting two.

The Department of the Navy has determined that attendance by Department of Navy personnel at this event qualifies as a widely attended gathering under 5 C.F.R. 2635.204(g)(2). This memorandum constitutes a finding pursuant to 5 C.F.R. 2635.204(g)(3)(ii) of agency interest in this event. Accordingly, invited DON personnel may attend this event in their personal capacities and accept free attendance, including the provision of food, refreshments, and entertainment furnished to all attendees as an integral part of the event. They may not accept travel or lodgings provided by a non-Federal source.

This memorandum also constitutes a finding under 5 C.F.R. 2635.204(g)(3)(i) that the Department of the Navy's interest in having employees attend this event outweighs concerns that the acceptance of the gift of free attendance may or may appear to improperly influence the employee in the performance of his official duties.

A handwritten signature in cursive script, reading "David W. LaCroix", is positioned above the printed name.

David W. LaCroix,
Assistant General Counsel (Ethics)